

Subdivision
City of Kirkland
FILE NO: SUB15-01436

EOS WEST SHORT PLAT
PORTION OF NW 1/4 OF SE 1/4 OF SEC 33, TWP 26N, RGE 5E, WM
KIRKLAND, WASHINGTON

PLAT NOTES

Addressing shall be in accordance with Kirkland Building Division Policy Manual Number 9.001, Assignment of Street Numbers and Road Signage.

Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer, storm water stub, rain garden, permeable pavement, or any infiltration facilities (known as Low Impact Development) from the point of use on their own property to the point of connection in the City sanitary sewer main or storm water main. Any portion of a sanitary sewer, surface water stub, rain garden, permeable pavement, or any infiltration facilities, which jointly serves more than one property, shall be jointly maintained and repaired by the property owners sharing such stub. The joint use and maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Maintenance of On-site Private Stormwater Facilities: Each Lot within the Subdivision has a stormwater facility (infiltration trench, dry wells, dispersion systems, rain garden, and permeable pavement) which is designed to aid storm water flow control for the development. The stormwater facility within the property shall be owned, operated and maintained by the Owner. The City of Kirkland shall have the right to ingress and egress the Property for inspection of and to reasonable monitoring of the performance, operational flows, or defects of the stormwater/flow control facility. If the City of Kirkland determines related maintenance or repair work of the stormwater facility is required, the City of Kirkland shall give notice to the Owner of the specific maintenance and/or repair work required. If the above required maintenance or repair is not completed within the time set by the City of Kirkland, the City of Kirkland may perform the required maintenance or repair, or contract with a private company capable of performing the stormwater facility maintenance or repair and the Owner will be required to reimburse the City for any such work performed. The Owner is required to obtain written approval from the City of Kirkland prior to replacing, altering, modifying or maintaining the storm water facility.

Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the abutting landscape strip. The maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

EXISTING LEGAL DESCRIPTION

THE WEST 120 FEET OF THE EAST 210 FEET OF LOT 5 AND THE WEST 120 FEET OF THE EAST 210 FEET OF THE NORTH HALF OF LOT 6 AND THE SOUTH 15 FEET OF THE NORTH HALF OF LOT 6;

EXCEPT THE EAST 210 FEET THEREOF, BLOCK 4, H.C. PETTIT'S ALDER GROVE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE(S) 83, RECORDS OF KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 15 FEET OF THE SOUTH HALF OF LOT 6, EXCEPT THE EAST 90 FEET THEREOF.

(PER CHICAGO TITLE INSURANCE COMPANY, CERTIFICATE NUMBER: 0032763-ETU, DATED: FEBRUARY 5, 2016)

CITY OF KIRKLAND
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXAMINED, REVIEWED, AND APPROVED BY THE CITY OF KIRKLAND PURSUANT TO THE SHORT SUBDIVISION PROVISIONS OF TITLE 22 (LAND SUBDIVISION), KIRKLAND MUNICIPAL CODE, THIS ____ DAY OF _____, 20 ____.

DIRECTOR, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DEPARTMENT OF ASSESSMENT
EXAMINED AND APPROVED THIS ____ DAY OF _____, 20 ____.

KING COUNTY ASSESSOR

RECORDER'S CERTIFICATE

Filed for record this ____ day of _____, 20 ____ at _____ in book of ____ at page ____ at the request of _____

Manager Supt. of Records

ACKNOWLEDGEMENTS, DECLARATION, DEDICATION, AND RESTRICTIONS
(R.C.W 58.17.165)

KNOW ALL PEOPLE BY THESE PRESENTS that we, the undersigned being all of the owners of the land hereby short subdivided, hereby declare this short plat to be the graphic representation of the short subdivision made hereby, and do hereby dedicate to the use of the public forever all streets and avenues not shown as private hereon and dedicate the use thereof for all public purposes not inconsistent with the use thereof for public highway purposes, and also the right to make all necessary slopes for cuts and fills upon the lots shown hereon in the original reasonable grading of said streets and avenues, and further dedicate to the use of the public all the easements and tracts shown on this short plat for all public purposes as indicated hereon, including but not limited to parks, open space, utilities and drainage unless such easements or tracts are specifically identified on this short plat as being dedicated or conveyed to a person or entity other than the public.

Further, the undersigned owners of the land hereby short subdivided waive for themselves, their heirs, and assigns and any person or entity deriving title from the undersigned, any and all claims for damages against the City of Kirkland, its successors and assigns which may be occasioned by the establishment, construction, or maintenance of roads and/or drainage systems within this short subdivision other than claims resulting from inadequate maintenance by the City of Kirkland.

Further, the undersigned owners of the land hereby short subdivided agree for themselves, their heirs and assigns to indemnify and hold the City of Kirkland, its successors and assigns, harmless from any damage, including any costs of defense, claimed by persons within or without this short subdivision to have been caused by alterations of the ground surface, vegetation, drainage, or surface or subsurface water flows within this short subdivision or by establishment, construction or maintenance of the roads within this short subdivision. Provided, this waiver and indemnification shall not be construed as releasing the City of Kirkland, its successors or assigns, from liability for damages, including the cost of defense, resulting in whole or in part from the negligence of the City of Kirkland, its successors, or assigns.

This subdivision dedication, waiver of claims and agreement to hold harmless is made with the free consent and in accordance with the desires of said owner.

IN WITNESS WHEREOF we set out hands and seals.

HOMESTREET BANK

MERIT HOMES, INC.

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
)SS
COUNTY OF KING)

ON THIS DAY PERSONALLY APPEARED BEFORE ME_____

_____ OF _____ THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE SAID INSTRUMENT, AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____ 20 ____.

NOTARY PUBLIC
RESIDING IN _____
MY APPOINTMENT EXPIRES _____

STATE OF WASHINGTON)
)SS
COUNTY OF KING)

ON THIS DAY PERSONALLY APPEARED BEFORE ME_____

_____ OF _____ THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE SAID INSTRUMENT, AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

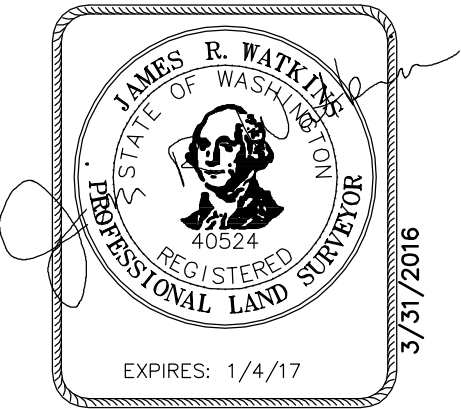
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____ 20 ____.

NOTARY PUBLIC
RESIDING IN _____
MY APPOINTMENT EXPIRES _____

SURVEYOR'S CERTIFICATE

This map correctly represents a survey, made by me or under my direction, in conformance with the requirements of the Survey Recording Act at the request of Merit Homes, Inc. in February, 2015 .

Jim R. Watkin
Surveyor
Certificate No. 40524



EASEMENT PROVISIONS

The 10’ public drainage easement, as shown hereon, is hereby reserved for and granted to all utilities serving the subject Short Plat and their respective successors and assigns, under and upon Lots 1 and 2, as shown hereon, in which to install, lay, construct, renew, operate, and maintain underground pipes with the necessary facilities and other equipment for the purpose of serving this Short Subdivision and other property with drainage services, together with the right to enter upon the Lots at all times for the purposes herein stated.

The 10’ public utility easement, as shown hereon, is hereby reserved for and granted to all utilities serving the subject short plat and their respective successors and assigns, under and upon Lots 1 and 2, as shown hereon, in which to install, lay, construct, renew, operate, and maintain underground conduits, cables and wires with the necessary facilities and other equipment for the purpose of serving this subdivision and other property with electric, telephone, gas, television cable services, together with the right to enter upon the lots at all times for the purposes herein stated.

The 15’ public drainage easement, as shown hereon, is hereby reserved for and granted to all utilities serving the subject Short Plat and their respective successors and assigns, under and upon Lots 1 and 3, as shown hereon, in which to install, lay, construct, renew, operate, and maintain underground pipes with the necessary facilities and other equipment for the purpose of serving this Short Subdivision and other property with drainage services, together with the right to enter upon the Lots at all times for the purposes herein stated.

PRIVATE EASEMENT PROVISIONS

The 15’ private utility easement located over, under, across, through and upon Lot 1, as shown hereon, is hereby reserved for and granted to the owners of Lot 3, for the purpose of operating, maintaining, repairing, and/or reconstructing any private utility systems they benefit from, together with the right of ingress and egress for such purposes.

The 15’ private access easement located over, under, across, through and upon Lot 1, as shown hereon, is hereby reserved for and granted to the owners of Lot 3, for the purpose of operating, maintaining and reconstructing any driveway improvements, and appurtenances if any, together with the right of ingress and egress for such purposes.

The 10’ private sewer easement located over, under, across, through and upon Lots 1 and 2, as shown hereon, is hereby reserved for and granted to the owners of Lots 1, 2 and 3, for the purpose of operating, maintaining, repairing, and/or reconstructing any private utility systems they benefit from, together with the right of ingress and egress for such purposes.

PRIVATE EASEMENT MAINTENANCE PROVISIONS

The 15’ private utility easement located over, under, across, through and upon Lot 1, as shown hereon, is for the benefit of Lot 3. The owners of said Lot 3 shall be soley responsible for the maintenance, repair and/or reconstruction of that portion of any commonly used facilities they benefit from, except no owner shall be responsible for the maintenance, repair and/or reconstruction of that portion of the commonly used facilities located upstream from the point of connection of that respective lot owner, and except for any private utility systems that are for the sole benefit of a lot, then said lot shall be solely responsible for the maintenance, repair and/or reconstruction of the facilities and appurtenances, if any, they benefit from.

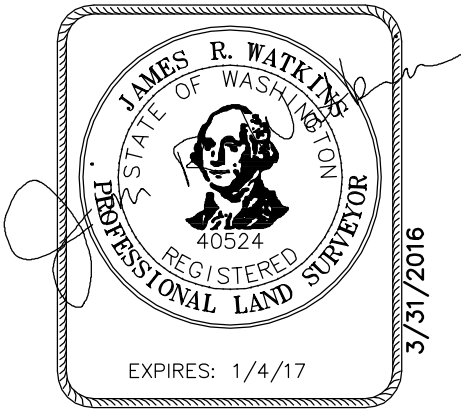
The 15’ private access easement located over, under, across, through and upon Lot 1, as shown hereon, is for the benefit of Lot 3. The owners of said Lot 3 shall be soley responsible for the maintenance, repair, and/or reconstruction of any driveway improvements, and appurtenances, if any, within said easement.

The 10’ private sewer easement located over, under, across, through and upon Lots 1 and 2, as shown hereon, is for the benefit of Lots 1, 2 and 3. The owners of said Lots shall be equally responsible for the maintenance, repair and/or reconstruction of that portion of any commonly used facilities they benefit from, except no owner shall be responsible for the maintenance, repair and/or reconstruction of that portion of the commonly used facilities located upstream from the point of connection of that respective lot owner, and except for any private utility systems that are for the sole benefit of a lot, then said lot shall be solely responsible for the maintenance, repair and/or reconstruction of the facilities and appurtenances, if any, they benefit from.

SURVEYOR’S CERTIFICATE

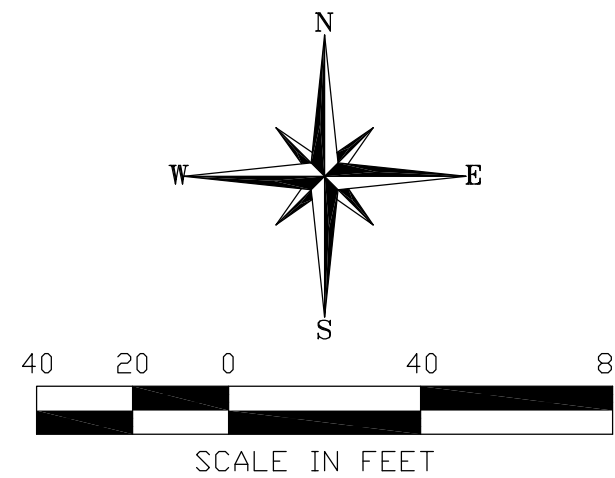
This map correctly represents a survey, made by me or under my direction, in conformance with the requirements of the Survey Recording Act at the request of Merit Homes, Inc. in February, 2015 .

Surveyor Jim R. Watkin
Certificate No. 40524



Subdivision
City of Kirkland
FILE NO: SUB15-01436

EOS WEST SHORT PLAT
PORTION OF NW 1/4 OF SE 1/4 OF SEC 33, TWP 26N, RGE 5E, WM
KIRKLAND, WASHINGTON

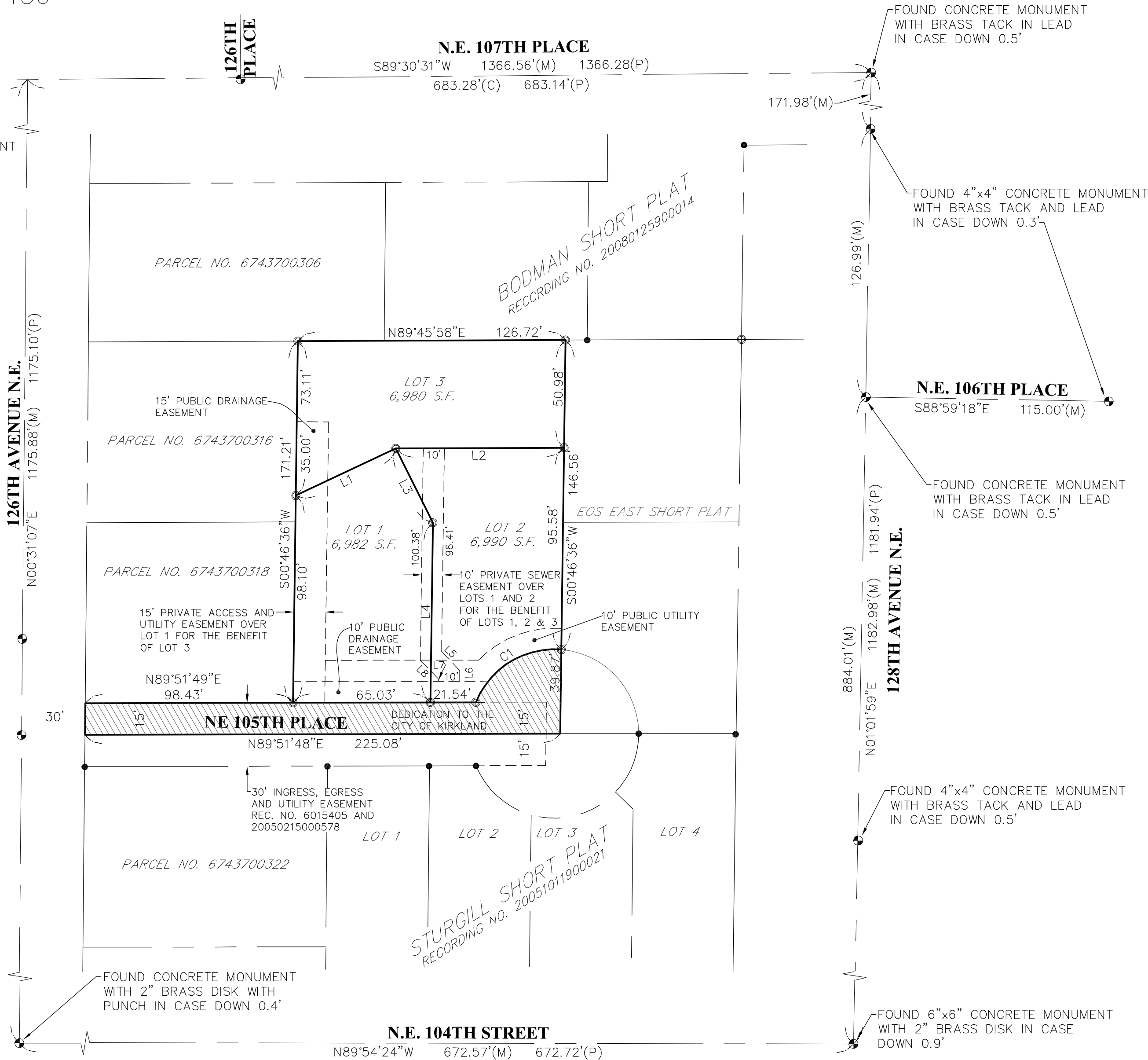


LEGEND

- FOUND CONCRETE MONUMENT
- SET 1/2" REBAR/CAP #40524
- FOUND 1/2" REBAR/CAP
- (M) MEASURED DIMENSION
- (P) PLAT DIMENSION
- (C) CALCULATED DIMENSION

LINE TABLE		
LINE	LENGTH	BEARING
L1	52.29	S64°45'59"W
L2	79.72	N89°45'02"E
L3	39.33	N26°29'49"W
L4	85.04	S00°46'36"W
L5	12.32	N44°13'24"W
L6	5.07	S00°46'36"W
L7	1.09	S00°46'36"W
L8	12.32	N44°13'24"W

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	50.93	40.00	72°56'51"



BASIS OF BEARINGS

N89°54'24"W ALONG THE MONUMENTED CENTERLINE OF NE 104TH STREET

NOTES

INSTRUMENTATION FOR THIS SURVEY WAS A SOKKIA 530R TOTAL STATION

PROCEDURES USED WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF PARTIES WHOSE NAMES APPEAR HEREON ONLY, AND DOES NOT EXTEND TO ANY UNNAMED THIRD PARTIES WITHOUT EXPRESS RECERTIFICATION BY THE LAND SURVEYOR.

BOUNDARY LINES SHOWN REPRESENT DEED LOCATIONS, OWNERSHIP LINES MAY VARY. NO GUARANTEE OF OWNERSHIP IS EXPRESSED OR IMPLIED.

ALL MONUMENTS WERE VISITED ON 11-17-05

EASEMENT NOTE

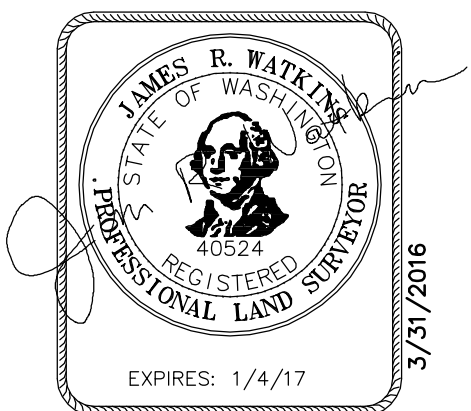
GRANTED TO: PUGET SOUND POWER & LIGHT COMPANY
PURPOSE: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM
RECORDING DATE: JANUARY 4, 1963
RECORDING NO.: 5527144
AFFECTS: AS CONTRUCTED OR TO BE CONSTRUCTED

SURVEYOR'S CERTIFICATE

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Surveyor

Certificate No. 40524

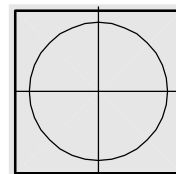


SUBDIVISION

MERIT HOMES, INC.
805 KIRKLAND AVENUE,
SUITE 100
KIRKLAND, WA 98033

SCALE: 1" = 40'

DATE: 3/31/2016



Allied Land Surveying, Inc.
17928 Bothell- Everett Hwy, Unit-A
Bothell, Wa. 98012
(P) 425-482-0223